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EXAMINER

TRUONG, CAM Y T

ART UNIT PAPER NUMBER

2172

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No

09/829,863

Applicant(s)

MINDRUM, G. SCOTT

Examiner

Cam Y T Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-26 and 28-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-26 and 28-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. Applicant has amended claims 21, 22, 28, 36, and 40 and canceled claim 27 in the amendment filed on 3/2/04. Claims 21-26 and 28-42 are pending in this Office Action.

Applicant's arguments with respect to claims 21-26 and 28-35 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21-26, 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunney et al (or hereinafter "Bunney") (USP 6003032) in view of Hobbs (USP 6264032).

As to claim 21, Bunney teaches the claimed limitations:

"an on-line registry service accessible over the Internet" as if the user decides to register, he/she selects the hypertext link shown by the underlined word register in fig. 6 and his/her web browser accesses S3 the ola Personal Edition registration page. The above information shows that the system has included an on-line registry service accessible over the Internet (col. 6, lines 30-35),

“the on-line registry service comprising one or more web pages having information related to the deceased person” as in the registration page the user is asked to provide various personal details. These may vary but could include, for example, a nickname, a password, gender, year of birth, approximate address. The above information shows that this user can provide various personal details about a deceased person or this user can be a deceased person after she or he registers (col. 6, lines 35-40);

“an identifier on or near the concrete memorial for the deceased person” as an URL is associated with a web page that is near with my Forums. Each Forum includes a plurality of article and respective bibliographic data, headlines that are generally less than 200 words and may also includes images. A registered user may add or edit a Forum through the archive page. Thus, the user may add any information related to the user or the deceased person and bibliographic data, article in my Forums that can contain information related to the user or the deceased person. In this case, my Forums can be the concrete memorial (figs. 7&8, col. 9, lines 1-65; col. 10, lines 55-57),

“the identifier indicating to people visiting the concrete memorial that information related to the deceased person may be found on the on-line registry service” as the URL <http://ola.ola.co.uk/cgi-bin> indicates to users visiting each Forum that contains information related to users such as bibliographic data, article may be found on the on-line register service. A user can be a deceased person (fig. 6).

Bunney does not explicitly teach the claimed limitation “a concrete memorial for a deceased person, the concrete memorial comprising discernable information including the name of the deceased person”. Hobbs teaches a headstone for Joe who is a deceased person (fig. 2, col. 3, lines 40-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hobbs’s teaching of a headstone for Joe who is a deceased person to Bunney’s system in order to allow users to visit a deceased person via Internet system and know history of deceased person quickly.

As to claims 22, Bunney does not explicitly teach the claimed limitation “wherein the concrete memorial is a headstone”. Hobbs teaches a headstone for Joe who is a deceased person (fig. 2, col. 3, lines 40-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hobbs’s teaching of a headstone for Joe is a deceased person to Bunney’s system in order to allow users to visit a deceased person via Internet system and know history of deceased person quickly.

As to claim 23, Bunney teaches the claimed limitation “wherein the identifier is a string” as <http://ola.ola.co.uk/cgi-bin/webDriver?> (fig. 8).

As to claim 24, Bunney teaches the claimed limitation “wherein the identifier is a URL” as URL (col. 8, lines 40-41).

As to claim 25, Bunney teaches the claimed limitation "the identifier is a seal" as to access a web page, which includes a URL, the user has to logon the system by entering user's password. It means that a URL is a seal until a user can login by a correct password (figs. 6-7).

As to claim 26, Bunney teaches the claimed limitation "the identifier is a mark" as a URL, which is a mark, is represented as the identifier (col. 7, lines 50-55).

As to claim 29, Bunney does not explicitly teach the claimed limitation "being further adapted for use with deceased animals". Hobbs teaches a headstone for Joe who is a deceased person (fig. 2, col. 3, lines 40-50).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hobbs's teaching of a headstone for Joe is a deceased person to Bunney's system in order to allow users to visit a deceased person via Internet system and know history of deceased person quickly.

As to claim 30, Bunney teaches the claimed limitation "information on a plurality of deceased persons" as in the registration page users are asked to provide various personal details. These may vary but could include, for example, a nickname, a password, gender, year of birth, approximate address. The above information shows

that users can provide various personal details about deceased persons or these users can be deceased persons after they registered (col. 6, lines 35-40).

As to claim 31, Bunney teaches the claimed limitation "wherein the on-line registry service can be searched based on at least part of the discernable information" as (col. 2, lines 15-45).

As to claim 32, Bunney teaches the claimed limitation "wherein the on-line registry service is operative to allow visitors to provide information related to a deceased person available on the on-line registry service" as in the registration page the user is asked to provide various personal details. These may vary but could include, for example, a nickname, a password, gender, year of birth, approximate address. The above information shows that this user can provide various personal details about a deceased person or this user can be a deceased person after she or he registers. A user can visit any registered user via Internet system (col. 6, lines 35-40);

As to claim 33, Bunney teaches the claimed limitation "wherein the subscription service is a subscription service" as (col. 2, lines 55-65).

As to claim 34, Bunney teaches the claimed limitation "wherein the subscription service is a periodic fee-based subscription" as (col. 2, lines 60-65).

As to claim 35, Bunney teaches the claimed limitation "wherein the information on the one or more web pages comprises images and biographical data related to the deceased person" as (col. 10, lines 55-56; col. 4, lines 60-63).

4. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunney et al (or hereinafter "Bunney") (USP 6003032) in view of Hobbs and further in view of Manross, Jr (or hereinafter "Manross") (USP 6414663).

As to claim 28, Bunney and Hobbs disclose the claimed limitation subject matter in claim 21, except the claimed limitation "wherein the concrete memorial is positioned in a cemetery". Manross teaches gravestone is positioned in a cemetery (fig. 2, col. 3, lines 15-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Manross's teaching of gravestone is positioned in a cemetery into Bunney and Hobbs to allow users to visit the individual's life history or deceased persons easily.

5. Claims 36-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunney et al (or hereinafter "Bunney") (USP 6003032) in view of Leif Technologies Inc, View-logy<sup>TM</sup> 1997 (or hereinafter "Leif").

As to claims 36, Bunney teaches the claimed limitations:

"establishing a subscription for an on-line registry service with a subscriber,



the subscription being associated with the deceased person” as in the registration page the user is asked to provide various personal details. These may vary but could include, for example, a nickname, a password, gender, and year of birth, approximate address. The above information shows that this user can provide various personal details about a deceased person or this user can be a deceased person after she or he registers (col. 6, lines 35-40);

“visually indicating, on or near the physical memorial for the deceased person, that the on-line registry service is associated with the deceased person” as an URL is associated with a web page that is associated with my Forums. Each Forum includes a plurality of article and respective bibliographic data, headlines that are generally less than 200 words and may also includes images. A registered user may add or edit a Forum through the archive page. Thus, the user may add any information related such as bibliographic data, article to the user or the deceased person. In this case, my Forums can be the concrete memorial (figs. 7&8, col. 9, lines 1-65; col. 10, lines 55-57),

“providing by the subscriber information relating to the deceased person” as (figs. 7&8, col. 9, lines 1-65; col. 10, lines 55-57),

“storing the information relating to the deceased person on a computer system” as storing the information related to registered users in the Olaf server. The registered users can be deceased people after they registered or the registered users can provide information related to a deceased person (col. 4, lines 55-60);

“providing to one or more visitors access over the Internet to the on-line

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registry service" as providing pages to the requested user via the Internet system (col. 4, lines 57-60; fig. 8);

"retrieving the stored information relating to the deceased person" as retrieving the stored information relating to the registered users. The registered users can be deceased people after they registered or the registered users can provide information related to a deceased person (col. 4, lines 55-60).

Bunney does not explicitly teach the claimed limitation "displaying to the visitor or the subscriber on one or more web pages at least a portion of the information relating to the deceased person". Leif teaches displaying a person's whole life story in words and photographs for those who visit the gravesite well into the future a lasting legacy (page 1, lines 5-8).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Leif's teaching of displaying a person's whole life story in words and photographs for those who visit the grave site well into the future a lasting legacy to Bunney's system in order to allow user to access the history of deceased person quickly via Internet system.

As to claim 37, Bunney teaches the claimed limitation "the step of submitting by visitors information relating to the deceased person to the on-line registry service" as (col. 4, lines 55-60).

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As to claim 38, Bunney teaches the claimed limitation "the step of collecting a subscription fee at least one time from the subscriber" as (col. 2, lines 65-67; col. 3, lines 1-5).

As to claim 39, Bunney teaches the claimed limitation "wherein a fee is collected on a periodic basis" as (col. 2, lines 60-65).

As to claim 40, Bunney teaches the claimed limitation "positioning an identifier on or near the physical memorial" as an URL is associated with each forum (col. 9, lines 40-45; fig. 8).

As to claim 41, Bunney teaches the claimed limitation "performed sequentially" as (figs. 6-8; col. 6, lines 20-30).

As to claim 42, Bunney teaches the claimed limitation "wherein the steps are performed sequential as listed" as (figs. 6-8, col. 6, lines 20-30).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mindrum (USP 6340978).

**Contact Information**


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Y Truong whose telephone number is (703-605-1169). The examiner can normally be reached on Mon-Fri from 8:00AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (703-305-9790). The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Cam-Y Truong

3/8/04

  
SHAHID ALAM  
PRIMARY EXAMINER